

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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DEMETRIUS HILL,

Plaintiff,  
-against-  
02-CV-3901 (DRH)(MLO)  
**ORDER**

AL TISCH *ET AL.*,

Defendants.  
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**HURLEY, Senior District Judge:**

UPON CONSIDERATION of Plaintiff's application for transfer (*see* doc. #71-2), such request is DENIED. The Court lacks authority to direct the requested transfer. *See Levine v. Apker*, 455 F.3d 71, 83 (2d Cir. 2006) (citing *United States v. Williams*, 65 F.3d 301, 307 (2d Cir. 1995)). Rather, the Bureau of Prison is "the sole agency charged with discretion to place a convicted defendant within a . . . particular facility." *Id.*; *see also* 18 U.S.C. § 3621(b).

**SO ORDERED.**

Dated: February 27, 2007  
Central Islip, New York

/s/  
Denis R. Hurley,  
United States Senior District Judge